

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHAN JAMES HENDERSON,

Defendant.

CR-12-73-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 8, 2021. (Doc. 82.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on December 7, 2021. (Doc. 77.) The United States accused Henderson of violating his conditions of supervised release 1) by using methamphetamine on two separate occasions; 2) by failing to maintain full time employment; and 3) by failing to notify his probation officer of a change in residence. (Doc. 76.)

At the revocation hearing, Henderson admitted that he had violated the conditions of his supervised 1) by using methamphetamine on two separate occasions; 2) by failing to maintain full time employment; and 3) by failing to notify his probation officer of a change in residence. (Doc. 77.)) Judge Johnston found that the violations Henderson admitted proved to be serious and warranted revocation, and recommended that Henderson receive a custodial sentence of 6 months, with 31 months of supervised release to follow. (Doc. 82.) Henderson was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights. (Doc.77.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 82) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Jonathan James Henderson be sentenced to the BOP for 6 months, with 31 months of supervised release to follow

DATED this 9th day of December, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court